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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,057	02/02/2001	Robert Sesek	10002445-1	9354

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LETT, THOMAS J

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/776,057

Applicant(s)

SESEK, ROBERT

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-23, 26-28, 31 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-23, 26-28, 31 and 34-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

SUPPLEMENTAL ACTION

Response to Arguments

1. With respect to the rejection of Claims 27, 28, 31 and 34-37 that were rejected under Section 103 as being obvious over Guillemín (7120605) in view of well known prior art. Guillemín can qualify as prior art only under Section 102(e) since Hewlett-Packard Development owned Guillemín. Examiner agrees and applies the previously cited art of Drabble to said claims.
2. Applicant's arguments filed 02 January 2007 have been fully considered but they are not persuasive. Applicant argues that in Olsen, the only print jobs that are displayed are those that the "verified" user is authorized to print. That is to say, the act of verifying that the user is authorized to print a print job has already been completed as a prerequisite to the act of displaying the print job(s). In the method of Claim 21, by contrast, the act of comparing bio signatures is not a prerequisite to the act of displaying the print jobs. Examiner did not imply this latter statement. Olsen is merely relied upon for displaying the pending print jobs for a user to view.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 21-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nerlikar (USPN 5,629,981 A) in view of Olsen (USPN 6,952,780 B2).

Regarding claim 21, Nerlikar discloses a method, comprising:

the printer receiving a selection of one of the secured print jobs for printing (col. 12, lines 33-37);

the printer comparing an entered bio signature for a user to the authorized bio signature for the selected print job (col. 12, lines 33-37); and

the printer printing the selected print job if the entered bio signature matches the authorized bio signature for the selected print job (col. 12, lines 33-37).

Does not disclose a printer displaying a plurality of pending secured print jobs each having an authorized bio signature associated therewith.

Olsen et al teaches that the verified user may then view a document list from a printer interface, col. 10, lines 51-54.

Nerlikar and Olsen et al are analogous art because they are from the similar problem solving area of secure document delivery. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of display of pending documents taught by Olsen et al to the receiving printer of Nerlikar in order to obtain a device capable of showing pending documents. The motivation for doing so would be to select documents that the user intends and is allowed to print.

Regarding claim 22, Nerlikar discloses a method of Claim 21, further comprising prompting a user to enter a bio signature of the user at the printer after receiving a selection of one of the secured print jobs for printing (col. 12, lines 33-37).

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Regarding claim 23, Nerlikar discloses a method of Claim 21, wherein the printer printing the selected print job if the entered bio signature matches the authorized bio signature for the selected print job comprises the printer printing the selected print job only if the entered bio signature matches the authorized bio signature for the selected print job (col. 12, lines 33-37).

Regarding claim 26, Nerlikar discloses a method of Claim 21, further comprising tracking usage of the printer according to an entered bio signature (a document sent by secretary A is not allowed to be printed until secretary B initializes printing by validating secretary B's identity with the RFID/biometric security, col. 12, lines 13-37).

4. Claims 27, 28, 31, and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drabble (WO 200062474 A1) in view of well-known prior art.

Regarding claim 27, Drabble disclose a printing system, comprising:

a computer (computer 10, Fig. 1);

a first biometric identification device (fingerprint reader or video camera, page 5, para. 3) operatively connected to the computer (step b, page 2, para. 1) for entering bio signatures directly into the computer;

the computer configured to associate an authorized bio signature entered through the first biometric identification device with a secured print job (step b, page 2, para. 1);

a printer operatively connected to the computer (it is well known that printers are attached to computer devices to print out documents);

a second biometric identification device (fingerprint reader or video camera, page 5, para. 3) operatively connected to the printer (see Fig. 1 and it is well known that printers are attached to computer devices to print out documents) for entering bio signatures directly into the printer; and

the printer configured to compare a bio signature of a user entered through the second biometric identification device to an authorized bio signature associated with a secured print job received from the computer, and print the print job if the entered bio signature matches the authorized bio signature (step d, page 2, para. 1 and page 5, para. 3).

Regarding claim 28, Drabble disclose a system of Claim 27, wherein the printer configured to print the print job if the entered bio signature matches the authorized bio signature comprises the printer configured to print the print job only if the entered bio signature matches the authorized bio signature (step d, page 2, para. 1 and page 5, para. 3).

Regarding claim 31, Drabble disclose a system of Claim 27, wherein the printer is further configured to track usage of the printer according to an entered bio signature (verification of a bio-metric reads on tracking usage)

Regarding claim 34, Drabble disclose a system of Claim 27, wherein the printer comprises a fax machine (it was well-known in the art to transfer secure documents using fax machines and further, printers integrated with facsimile capability was well-known in the art).

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Regarding claim 35, Drabble disclose a system of Claim 27, wherein the bio signatures comprise an electronic representation of a user's fingerprint (fingerprint reader or video camera, page 5, para. 3).

Claim 36, a method claim, is rejected for the same reasons as claim 27.

Claim 37, a method claim, is rejected for the same reasons as claim 28.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

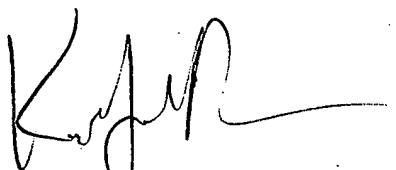
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 7-3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJL



KING Y. POON
PRIMARY EXAMINER